

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ROBERT EARL RICKS, JR., ) CASE NO. CV 06-5934 DOC(SS)  
)  
Petitioner, )  
) **ORDER ADOPTING FINDINGS,**  
) **CONCLUSIONS, AND RECOMMENDATIONS OF**  
v. ) **UNITED STATES MAGISTRATE JUDGE**  
)  
TOM FELKER, )  
)  
Respondent. )  
)

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein and the Report and Recommendation of the United States Magistrate Judge. The time for filing Objections to the Report and Recommendation has passed and no Objections have been received. The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge, except as modified below:

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1 At page 13, lines 16-19 of the Report, the Court modifies the  
2 Report to read:

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4 Deputy Medical Examiner Louis Pena ("Pena") testified that  
5 Patricia was shot a total of five times with wounds to the  
6 left armpit, the right chest, the right back of the head, the  
7 left chest, and the left leg.

8  
9 **IT IS ORDERED** that the Petition is denied and Judgment shall be  
10 entered dismissing this action with prejudice.

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12 **IT IS FURTHER ORDERED** that the Clerk serve copies of this Order and  
13 the Judgment herein on Petitioner and counsel for Respondent.

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15 **LET JUDGMENT BE ENTERED ACCORDINGLY.**

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17 DATED: August 14, 2008

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20 DAVID O. CARTER  
21 UNITED STATES DISTRICT JUDGE  
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